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(3. Hilliard)

P19004.A06



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Robert R. BUSHEY et al.

Group Art Unit: 2173

Appln. No. : 09/578,904

Examiner: Xiomara L. BAUTISTA

Filed : May 26, 2000

For : METHOD FOR INTEGRATING USER MODELS TO INTERFACE
DESIGN

COMPLETION OF RECORD

RECEIVED

Assistant Commissioner of Patents
Washington, DC 20231

MAR 21 2003

Technology Center 2100

Sir :

In order to complete the record in the instant application, Applicants submit herewith a copy of an Examination Report dated February 10, 2003, for related patent family member GB 0128396.9. Applicants note that the document discussed in the Examination Report was submitted with an Information Disclosure Statement filed on November 29, 2000, and thus, no fee is necessary to ensure consideration of this document.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Robert R. BUSHEY et al.

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Reg. No. 44,550

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March 19, 2003
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INVESTOR IN PEOPLE

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DATABASE UPDATED

12 FEB 2003

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Your Reference: A1381
Application No: GB 0128396.9

10 February 2003

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MAR 21 2003

Dear Sirs

Technology Center 2100

Patents Act 1977: Examination Report under Section 18(3)

Latest date for reply: 11 August 2003

I enclose two copies of my examination report.

By the above date you should either file amendments to meet the objections in the enclosed report or make observations on them. If you do not, the application may be refused.

You should note that the normal unextended period allowed for complying fully with the requirements of the Act will end on 10 February 2004, that is 12 months after the date of this letter.

Yours faithfully

Graham Russell
Examiner

*Use of E-mail: Please note that e-mail should be used for correspondence only.



INVESTOR IN PEOPLE

Your ref: A1381
Application No: GB 0128396.9
Applicant: SBC Technology Resources Inc

Examiner: Graham Russell
Tel: 01633 814739
Date of report: 10 February 2003

Latest date for reply: 11 August 2003

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Patents Act 1977

Examination Report under Section 18(3)

Basis of the examination

1. I have examined your application in the form that it was printed by WIPO when it was in the international phase. I confirm that I have taken into account the International Preliminary Examination Report dated 13 July 2001.

Patentability

2. I am of the opinion that your invention(s) relates to unpatentable subject matter, being excluded under s.1(2)(c) of the Act as a business method.
3. The invention as defined in claims 1-18 concerns a method for designing a customer interface which takes into account the behavioural diversity of the user population. In particular your invention uses Categorize Describe-Model (CDM) methodology (which is the subject of US patent application 09/089,403) as described on page 3 line 23 - page 4 line 5 and page 12 lines 1-6 of the specification.
4. The invention as defined in claims 19-42 is concerned with a method/computer program for identifying and categorizing customer goals for contacting a service center by taking into account the customer's comments and verbal styles.
5. Thus the contribution you have made to the art is in the manner in which customer interfaces are designed and call center customers are handled based on the behavioural analysis of the customer. Although the invention can be carried out on a computer, the invention does not appear to make a technical contribution to the art. The contribution to the art is in the field of customer analysis which is a business innovation and not a technical innovation.
6. It is now well established in precedent case law, particularly *Fujitsu's Application* [1997] RPC 608, that for an invention to be patentable it must demonstrate a technical contribution to the art. In my opinion your invention does not provide the necessary technical contribution and is therefore considered to be an excluded invention, the particular exclusion being a method of doing business under s.1(2)(c).

Plurality of invention

7. As implied by my comments above, the subject matter of claims 1-18 and 19-42 relate to different inventions, although the International Search Report is complete for all



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Your ref: A1381
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Date of Report: 10 February 2003
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[Examination Report contd.]

claims.

Novelty

8. As stated in the International Preliminary Examination Report, the invention as claimed in claim 1 (at least) is not new having regard to the following prior art cited in the International Search Report.

9. US 5848396 (Gerace) is concerned with a method for determining the behaviour profile of a computer user. As summarised in column 2 lines 3-23 the behaviour profile enables the data display to be customised to the user.

Conciseness

10. The claims are not concise as they are framed on the American format of a large number of independent claims with significant repetition of subject matter.

Insufficiency

11. As mentioned in paragraph 3 above, your invention uses Categorize Describe-Model (CDM) methodology which is the subject of US patent application 09/089,403. If this US application was published later than the priority date of your application, or not at all, then the present application is considered to be insufficient and objection arises under s.14(3) of the Act.

Top-up search deferred

12. In the light of the objections raised above, particularly the patentability objection under s.1(2)(c), I have deferred carrying out the top-up search under s.2(3).